

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Future Realty Managment, LLC,

Plaintiffs,

07 CV 11528(SCR)

-against-

ORDER

Declaring Case Eligible for Mediation

NGM Insurance,
et al.,

Defendants.

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To the Clerk of the Court:

This case has been determined as eligible for mediation as to all issues, subject to the limitations and restrictions noted below.

The entire mediation process is confidential. The parties and the Mediator may not disclose information regarding the process, including settlement terms, to the Court or to third persons, unless all parties otherwise agree. The identity of the mediator is not to be disclosed even to the Court. However, persons authorized by the Court to administer or evaluate the mediation program may have access to information necessary to so administer or evaluate the program, and parties counsel and Mediators may respond to confidential inquiries or surveys by said persons authorized by the Court to administer or evaluate the mediation program.

The mediation process shall be treated as a compromise negotiation for purposes of the Federal Rules of Evidence and State rules of evidence. The Mediator is disqualified as a witness, consultant, attorney, or expert in any pending or future action relating to the dispute, including actions between persons not parties to the mediation process.

Any timetable set by the Court contained in a scheduling order or otherwise governing the completion of discovery, motion practice or trial dates, etc., is to be strictly complied with and is in no way changed by the entry of this case into the Court's mediation program.

So Ordered:

Dated: May 16, 2008
White Plains, New York

Stephen C. Robinson

Stephen C. Robinson
United States District Judge

